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By: **Delegates Heller, Boschert, Bozman, Healey, Hixson, and Ramirez**  
Introduced and read first time: February 13, 2004  
Assigned to: Appropriations

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 26, 2004

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education - National Guard Student**

3 FOR the purpose of requiring a public institution of higher education to allow a  
4 certain national guard student to withdraw from courses the national guard  
5 student is currently enrolled in without negative consequences to the national  
6 guard student's academic standing if the national guard student's unit is  
7 activated and deployed to a location outside the State; requiring a public  
8 institution of higher education to try to assist the national guard student in  
9 completing the course requirements under certain circumstances; authorizing a  
10 public institution of higher education to provide a full or partial tuition refund to  
11 a national guard student who has withdrawn from courses due to the activation  
12 and deployment of the national guard student's unit; defining a certain term;  
13 and generally relating to requiring a public institution of higher education to  
14 allow a national guard student to withdraw from courses if the national guard  
15 student is deployed outside the State.

16 BY adding to  
17 Article - Education  
18 Section 15-106.3  
19 Annotated Code of Maryland  
20 (2001 Replacement Volume and 2003 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Education**

2 15-106.3.

3 (A) IN THIS SECTION, "NATIONAL GUARD STUDENT" MEANS A STUDENT WHO  
4 IS ENROLLED IN A PUBLIC INSTITUTION OF HIGHER EDUCATION AND IS A MEMBER  
5 OF THE UNITED STATES NATIONAL GUARD.

6 (B) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ALLOW A  
7 NATIONAL GUARD STUDENT TO WITHDRAW FROM COURSES THE NATIONAL GUARD  
8 STUDENT IS CURRENTLY ENROLLED IN WITHOUT NEGATIVE CONSEQUENCES TO  
9 THE NATIONAL GUARD STUDENT'S ACADEMIC STANDING IF THE NATIONAL GUARD  
10 STUDENT'S UNIT IS ACTIVATED AND DEPLOYED TO A LOCATION OUTSIDE THE STATE.

11 (C) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL TRY TO ASSIST THE  
12 NATIONAL GUARD STUDENT IN COMPLETING THE COURSE REQUIREMENTS BY  
13 EITHER:

14 (1) GIVING THE NATIONAL GUARD STUDENT A GRADE OF INCOMPLETE  
15 AND WORKING WITH THE NATIONAL GUARD STUDENT AND THE STUDENT'S  
16 INSTRUCTOR ON A PROGRAM OF INDEPENDENT STUDY; OR

17 (2) TRANSFERRING THE NATIONAL GUARD STUDENT TO AN ONLINE  
18 COURSE OF INSTRUCTION OFFERED AT AN INSTITUTION SUCH AS:

19 (I) THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE'S  
20 DISTANCE EDUCATION COURSES; OR

21 (II) THE SOUTHERN REGIONAL EDUCATION BOARD'S ELECTRONIC  
22 CAMPUS.

23 (D) A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY PROVIDE FOR A FULL  
24 OR PARTIAL TUITION REFUND TO A NATIONAL GUARD STUDENT WHO HAS  
25 WITHDRAWN FROM COURSES DUE TO THE ACTIVATION AND DEPLOYMENT OF THE  
26 NATIONAL GUARD STUDENT'S UNIT.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2004.